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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

HAROLD E. MONTAGUE,

Petitioner,

v.

MS. BAKER, et al.,

Respondents.


Case No. 3:17-cv-00648-RCJ-WGC

**ORDER**

Before the court are petitioner's proper-person notice (ECF No. 9), respondents' motion to strike (ECF No. 10), and petitioner's counseled response (ECF No. 11). Respondents are correct that petitioner now cannot file proper-person documents in this action because counsel now represents petitioner. Petitioner is correct that petitioner likely mailed the notice to the court before he learned that counsel now represents him. However, notice is a response to a court order in a separate, proper-person civil rights action, Montague v. Jackson, Case No. 2:17-cv-01680-JAD-CWH. The clerk of the court docketed the notice in both actions because petitioner placed both the correct case number and, superfluously, the case number for this action, in the caption of the notice. No reason exists for the notice to be in this action's docket, and the notice can only cause confusion if it remains on the docket.

1 IT THEREFORE IS ORDERED that respondents' motion to strike (ECF No. 10) is  
2 **GRANTED**. The clerk of the court shall **STRIKE** the proper-person notice (ECF No. 9) from  
3 the docket.

4 DATED: *July 24, 2018.*

5   
6 ROBERT C. JONES  
United States District Judge